

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FLORENTINA MAZZONE-URIE,

Plaintiff,

v.

ONEWEST BANK FSB, et al.,

Defendants.

Case No. 21-cv-06075-EMC

**ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS; AND ORDER
TO SHOW CAUSE**

Docket No. 101

The Court has reviewed the parties' filings. It finds this matter suitable for resolution without oral argument. Defendants' motion to dismiss is **GRANTED**.

This leaves OneWest Bank FSB as the sole defendant. The record does not reflect that OneWest Bank has been served (and it has not otherwise made an appearance in the case). The Court also notes that, based on the allegations in Plaintiff's complaint, OneWest Bank was the servicer for the loan back in 2008, but that Ocwen later became the servicer and was the servicer at the time of her husband's death. *See* Compl. ¶¶ 14, 19. Thus, as a practical matter, it is not clear that Plaintiff has any real interest in pursuing any claims against OneWest Bank. Finally, given that the Court has found the claims pled in the complaint lacking in merit as to Ocwen and PHH, the same claims pled against OneWest Bank would also be lacking in merit.


Accordingly, the Court hereby orders Plaintiff to show cause as to why her claims against OneWest Bank should not be dismissed, either without prejudice based on failure to prosecute or with prejudice based on failure to state a claim for relief. Plaintiff's response to this order to show cause shall be filed by **February 26, 2025**.

If Plaintiff does not timely file a response to this order to show cause, then the Court

1 **shall dismiss the case with prejudice and close the file in this case.**

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3 **IT IS SO ORDERED.**

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5 Dated: February 5, 2025

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United States District Judge

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United States District Court
Northern District of California